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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



FILED ALL WAIVED

**James R. Capaldi, P.E.**  
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Secretary  
Surface Transportation Board  
Washington, DC 20423-0001

Re: Providence and Worcester Railroad Company--  
Abandonment Exemption East Providence, Rhode Island (East Providence and East  
Junction Branch Lines; STB Docket No. AB-254 (sub-No. 8X)

Dear Secretary:

This request is filed on behalf of the Rhode Island Department of Transportation, which  
is a government agency, hereinafter referred to as 'proponent'.

Proponent requests issuance of a Public Use Condition as well as an Interim Trail Use  
Condition rather than an outright abandonment authorization between East Providence  
and East Junction Branch Lines.

**A. Request for Public Use Condition**

Proponent asks the STB to find that this property is suitable for other public use,  
specifically trail use, and to place conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than  
the tracks, ties and signal equipment, except for public use on reasonable  
terms. Justification for this condition is: the property is situated along a  
scenic waterfront and is suitable for other public use specifically trail use  
and utility easements.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trial purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

#### **B. Request For Interim Trail Use**

The railroad right-of-way in this proceeding is suitable for suitable for railbanking. In addition to the public use conditions sought above, proponent also makes the following request:

#### **STATEMENT OF WILLINGNESS TO ASSUME**

#### **FINANCIAL RESPONSIBILITY**

In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d) and 49 CFR §1152.29, The Rhode Island Department of Transportation is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by and operated by the Providence and Worcester Railroad Company.

The property, known as the East Providence and East Junction Branch Lines., extends running from the switch at Mile Post 5.53 ± near Dunnellen Road south to end-of-track at Mile Post 9.84± near Whipple Avenue in East Providence, Rhode Island, a distance of approximately 4.31 ± along a portion of its branch line known as the East Providence Branch; and a portion of its branch line known as the East Junction Branch running from Mile Post 0.48 ± at the north side of Dexter Road south to its connection with the east Providence Branch at Mile Post 0.0 north of Waterman Avenue in East Providence, Rhode Island, a distance of approximately 0.48± miles, all of which is located within

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Providence County, Rhode Island in the United States Postal service Zip Codes 02914, 02915 and 02916, a total combined distance of 4.79± miles. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-254 (Sub-No. 8X).

A map depicting the right-of-way is attached.

The Rhode Island Department of Transportation acknowledges that the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon Providence and Worcester Railroad Company , 75 Hammond Street, Worcester, Massachusetts 01610, by U.S. Mail, postage pre-paid, first class, this 29<sup>th</sup> day of June, 2005.

Respectfully submitted,






JAMES R. CAPALDI, P.E.

Director

Rhode Island Department of Transportation



**PROPOSED ABANDONMENT MAP**  
**EAST PROVIDENCE, RHODE ISLAND**

-  EAST PROVIDENCE BRANCH
-  EAST JUNCTION BRANCH
-  PROPOSED CONNECTOR TRACK